

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Raymond S. L. Cooper,)	Civil Action No.: 4:16-cv-01558-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Charles W. Cooper, <i>Co-Trustee of Willie</i>)	
<i>Dave Cooper, Sr. Testamentary Trust;</i>)	
Dorothy C. Huff, <i>Co-Trustee of Willie Dave</i>)	
<i>Cooper, Sr. Testamentary Trust; and Willie</i>)	
Dave Cooper, Sr. Testamentary Trust,)	
)	
Defendants.)	
)	

This matter is before the Court for review of the Report and Recommendation (R & R) of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 for the District of South Carolina. *See* R & R, ECF No. 20. The Magistrate Judge recommends that the Court summarily dismiss Plaintiff's pro se complaint without prejudice and without issuance and service of process. *Id.* at 1, 7.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a de novo determination of those portions of the R & R to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

Plaintiff has not filed objections to the R & R, and the time for doing so has expired.¹ In the

¹ Objections were previously due by October 11, 2016, *see* ECF No. 24, but because the Court was closed that day due to the effects of Hurricane Matthew, objections were due the next day, October 12, 2016.

absence of objections to the R & R, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendations. *See Camby v. Davis*, 718 F.2d 198, 199-200 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation'" (quoting Fed. R. Civ. P. 72 advisory committee's note)).

After a thorough review of the record in this case, the Court finds no clear error and therefore adopts and incorporates by reference the R & R [ECF No. 20] of the Magistrate Judge. Accordingly, the Court **DISMISSES** Plaintiff's complaint *without prejudice and without issuance and service of process*.

IT IS SO ORDERED.

Florence, South Carolina
October 24, 2016

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge